

DECLARATORY

Improvement Res. No. 1068-1961

For the Vacation of Summer Street from the south right of way line of the Wabash Railroad to the north property line of Alden Avenue and the first alley north of Reynolds Street.

Resolution Adopted:

Nov. 9, 1961

Confirmed:

Dec. 7, 1961

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

Jan. 25, 1962

1068

B. O. 115-100

DECLARATORY RESOLUTION NO. 1068-1961

For the Vacation of Summer Street from the south right of way line of the Wabash Railroad to the north property line of Alden Avenue and the first alley north of Reynolds Street.

PLANS ORDERED: July 27, 1961

ADOPTED: Nov. 9, 1961

ADVERTISE NOTICE TO PROPERTY OWNERS: Nov. 15 & 22, 1961

HEARING ON CONFIRMATION: Thurs., Dec. 7, 1961, 3:30 p. m.  
Notices mailed Nov. 24, 1961

CONFIRMED: Dec. 7, 1961

ASSESSMENT ROLL ORDERED: Dec. 7, 1961

ASSESSMENT ROLL APPROVED: Jan. 8, 1962

HEARING ON CONFIRMATION  
OF ASSESSMENT ROLL: Thurs., Jan. 25, 1962 3:30 p. m.

NOTICE SERVED: Jan. 12, 1962

ASSESSMENT ROLL CONFIRMED: Jan. 25, 1962

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of Summer Street from the south right-of-way line of the Wabash Railroad to the north property line of Alden Avenue and the first alley north of Reynolds Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Summer Street from the south right-of-way line of the Wabash Railroad to the north property line of Alden Avenue and the first alley north of Reynolds Street.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 96 and 97, Vordermark's Addition. Said addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described \_\_\_\_\_ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the north one-half of Section 7, Township 30 North, Range 13 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 7 DAY OF November 1961

Attest:

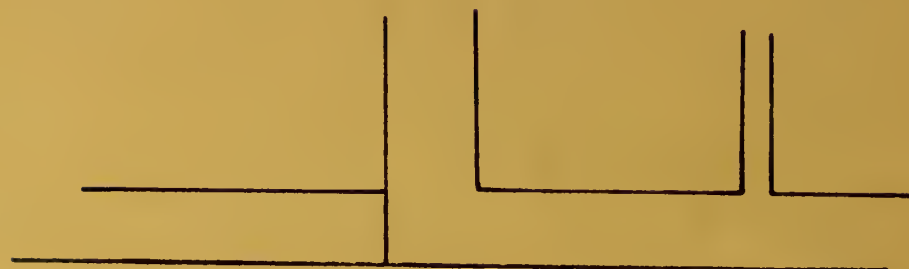
Secretary Board of Public Works.

*[Signature]*  
Board of Public Works.



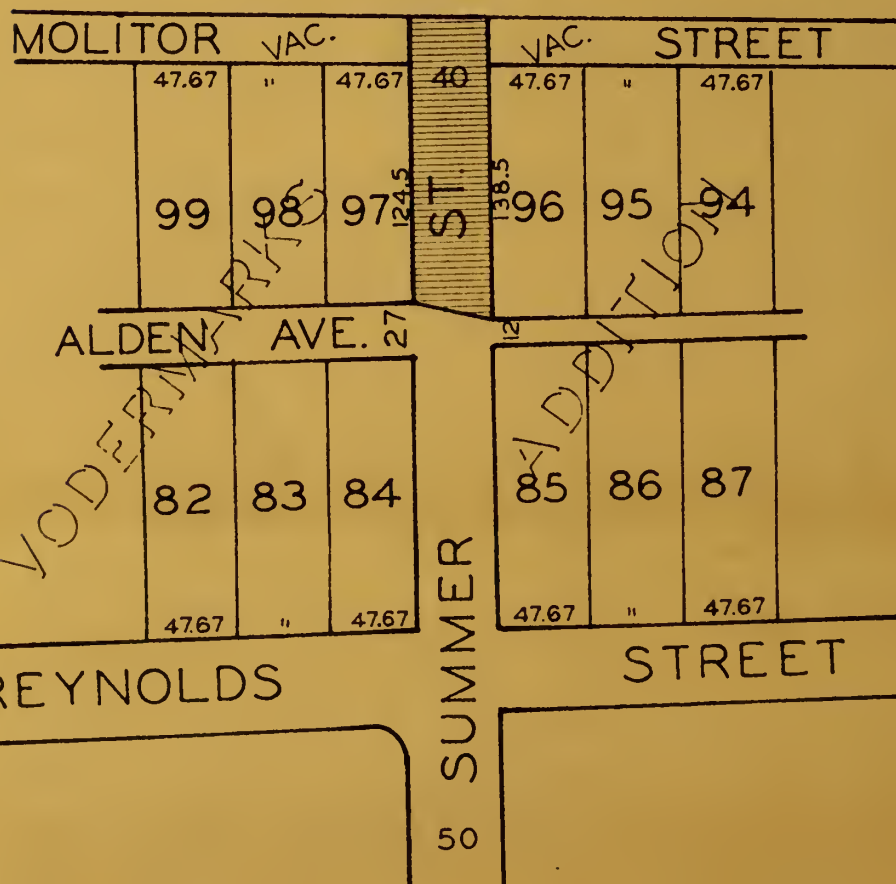


STREET TO BE VACATED



WABASH

RAILROAD



43-181-15

# PETITION

RECEIVED  
JUL 26 1961

NOTED

Fort Wayne, Ind.,

☒ P.F.R.  
☒ J.D.L.  
☒ B.W.

To the Board of Public Works of the City of Fort Wayne:

Gentlemen: 0 115

Date 7/27/61

The undersigned, owners of real

estate on \_\_\_\_\_, from

\_\_\_\_\_ to \_\_\_\_\_

respectfully petition for the passage of a resolution providing for the vacation of Summer Street from the south right-of-way line of the Wabash Railroad to the north property line of the first alley north of Reynolds Street.

LOUIS JIMMEYERS  
FOR I. HASSAN NAME

ADDRESS 4933 TACOMA AVE

Petitioner

*Louis Jimmyers*

OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

43-363-3

B. O. 115-161

Date Dec. 7, 1961

To City Engineer

Subject Declaratory Res. No. 1068-1961 Vacation of Summer Street

Prepare Assessment Roll of Benefits and Damages; the property owners benefited to be assessed costs of advertising, \$10.40.

Paul F. Roembke  
H. N. Clauss  
Berkeley Ward  
BOARD OF PUBLIC WORKS

ic  
attach Res. & P. O. List  
cc: Mayor Burns

NOTED

☐ P.F.R.  
☐ H.N.C.  
☐ B.W.

Signed \_\_\_\_\_ Date \_\_\_\_\_

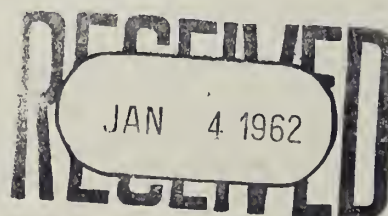
Reply:

January 4, 1962

Assessment roll of benefits and damages completed and attached.

A handwritten signature in cursive script, appearing to read "Edward Green".  
Edward Green  
City Engineer

DEB:ld  
attach.



Signed \_\_\_\_\_

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

# City of Fort Wayne



OFFICE OF  
CITY PLAN COMMISSION

2

FORT WAYNE 2, INDIANA

November 10, 1961

Mr. Donald E. Bodeker  
Office Engineer  
City Engineers Office

Dear Don:

We have reviewed the proposed vacation of Summer Street from the south right of way of the Wabash Railroad to the north property line of the first alley north of Reynolds Street and recommend that the proposed vacation not be granted for the following reasons:

1. The nearest existing crossing over the Wabash Railroad is Lombard Street located approximately two blocks east of Summer Street. To the west, the nearest crossing would be Wabash Avenue located approximately four blocks away. Since Summer Street is platted up to the railroad on both sides, it is possible that sometime in the future it might be necessary to construct Summer Street across the railroad in order to provide a circulation of traffic between the area north of the Wabash Railroad and the area south of it. I can see no immediate need for such a street opening; however, it is possible that some day it would be necessary and, if so, the City would have to buy back the right of way which had been vacated if this vacation is allowed.
2. I can see no particular advantage to the City in the vacation of this portion of the street. It appears that the only advantage would be to the adjacent land owners in acquiring additional property.

I can see no objection to letting the adjacent property owners use this land for whatever purpose they might desire, providing, of course, that no buildings are constructed on the property.



Mr. Donald Bodek

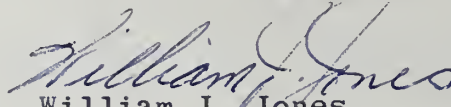
-2-

November 10, 1961

However, I would be reluctant to recommend that it be vacated at this time until the potential use in the area is determined. This is especially important from the standpoint of a possible redevelopment project in this area.

Sincerely,

CITY PLAN COMMISSION

  
William J. Jones  
Planning Director

WJJ:mo



October 30, 1961

William J. Jones  
Planning Director

James T. White  
Traffic Engineer

Please submit your opinion and recommendation on the following proposed vacation:

For the vacation of Summer Street from the south right of way line of the Wabash Railroad to the north property line of the first alley north of Reynolds Street

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Engineer

DEB:ld

cc: Mayor Paul M. Burns ✓  
Board of Public Works  
(Board Order No. 115-1961)

October 30, 1961

Northern Indiana Public Service Company  
Indiana & Michigan Electric Company  
General Telephone Company of Indiana

We have received a petition to vacate Summer Street from the south right of way line of the Wabash Railroad to the north property line of the first alley north of Reynolds Street.

Please check your easement requirements on the enclosed post card and return it to us as soon as possible.

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Engineer

DEB:ld

encl.

cc: Mayor Paul M. Barnes ✓  
Board of Public Works  
(Board Order No. 115-1961)



October 30, 1961

William J. Jones  
Planning Director

James T. White  
Traffic Engineer

Please submit your opinion and recommendation on the following proposed vacation:

For the vacation of Summer Street from the south right of way line of the Wabash Railroad to the north property line of the first alley north of Reynolds Street

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Engineer

DEB:ld

cc: Mayor Paul M. Burns  
Board of Public Works ✓  
(Board Order No. 115-1961)

RECEIVED  
OCT 30 1961  
RECEIVED



October 30, 1961

Northern Indiana Public Service Company  
Indiana & Michigan Electric Company  
General Telephone Company of Indiana

We have received a petition to vacate Summer Street from the south right of way line of the Wabash Railroad to the north property line of the first alley north of Reynolds Street.

Please check your easement requirements on the enclosed post card and return it to us as soon as possible.

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Engineer

DEB:ld

encl.

cc: Mayor Paul H. Burns  
Board of Public Works  
(Board Order No. 115-1961)

10-26-61:

Mr. Roembke:

A-2421

Byron Novitsky called regarding the status on vacation of Summer Street. The petitioner for this project is his client. We have received no report from the Engineers since the petition was forwarded to them on July 27, 1961.

Mr. Novitsky would like you to call him.

June

*1.  
Dp 10-2  
Snp agenda Friday*

OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

43-181-15

Date July 27, 1961

B. O. 115-161

To City Engineer

Subject VACATION - Summer Street

Received a petition for the Vacation of Summer Street from the south right of way line of the Wabash Railroad to the north property line of the first alley north of Reynolds Street.

Prepare an Opinion, after conferring with Governmental Agencies and Utilities.

Paul F. Roembke  
John D. Lombard  
Berkeley Ward  
BOARD OF PUBLIC WORKS

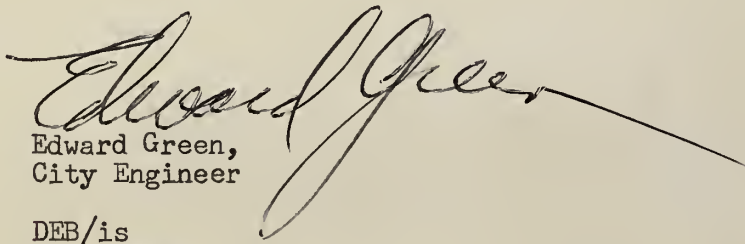
ic  
attach copy of petition  
cc: Mayor Burns

Signed \_\_\_\_\_

Reply: November 7, 1961

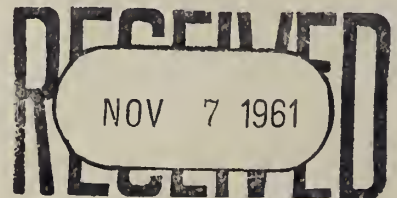
1068

Declaratory Resolution, drawing and property ownership list completed and attached. We have no objection to this vacation from an engineering standpoint.

  
Edward Green,  
City Engineer

DEB/is  
attachs..

cc: Mayor Burns



*okay 11/9/61  
p.f.r.*

Signed \_\_\_\_\_



# NOTICE OF IMPROVEMENT

## OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, ..... **November 21, 1961** .....

1068

To.....

.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did  
pass Improvement/Declaratory Resolution No. **1068-1961**  
providing for the **Vac ation of Summer Street from the south right of way line of the**  
**Wabash Railroad to the north property line of Alden Avenue and the first alley north**  
**of Reynolds Street.**

All work to be done under aforementioned Improvement Resolution shall be in accordance with the de-  
tailed plans, profile and specifications which are now on file and may be seen in the office of the Board  
of Public Works.

The Board has fixed..... **Thursday, December 7, 1961 at 3:30 p.m.** .....  
a date and time when they will hear and consider objections or remonstrances from all persons whose  
property will be affected by the proposed improvement.

You are hereby notified that

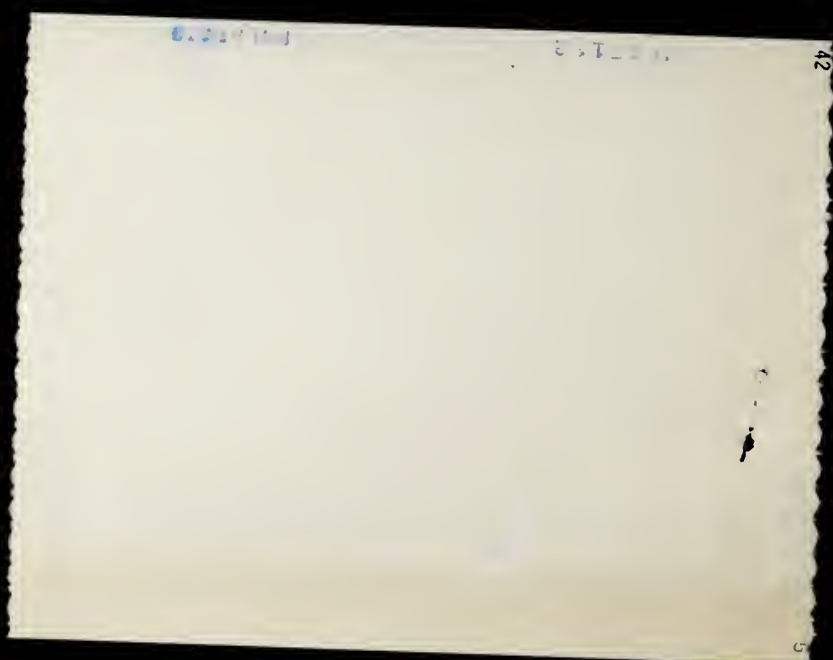
is subject to assessment for said proposed improvement under the Improvement Laws passed by the Gen-  
eral Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supple-  
mental thereof.

**BOARD OF PUBLIC WORKS**



















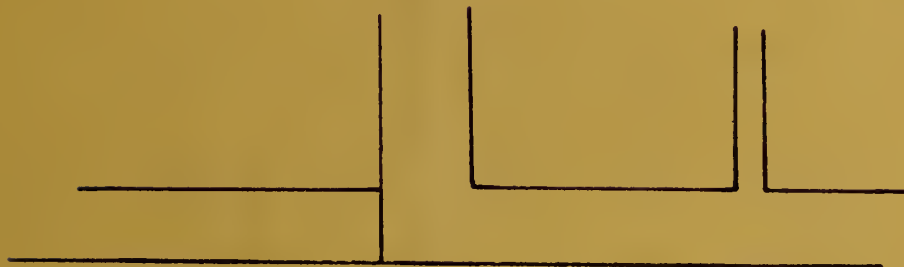








STREET TO BE VACATED



WABASH

RAILROAD

MOLITOR VAC. STREET

47.67	"	47.67	40	47.67	"	47.67
99	98	97	ST.	96	95	94

ALDEN AVE. 27

82	83	84	85	86	87
47.67	"	47.67	47.67	"	47.67

REYNOLDS

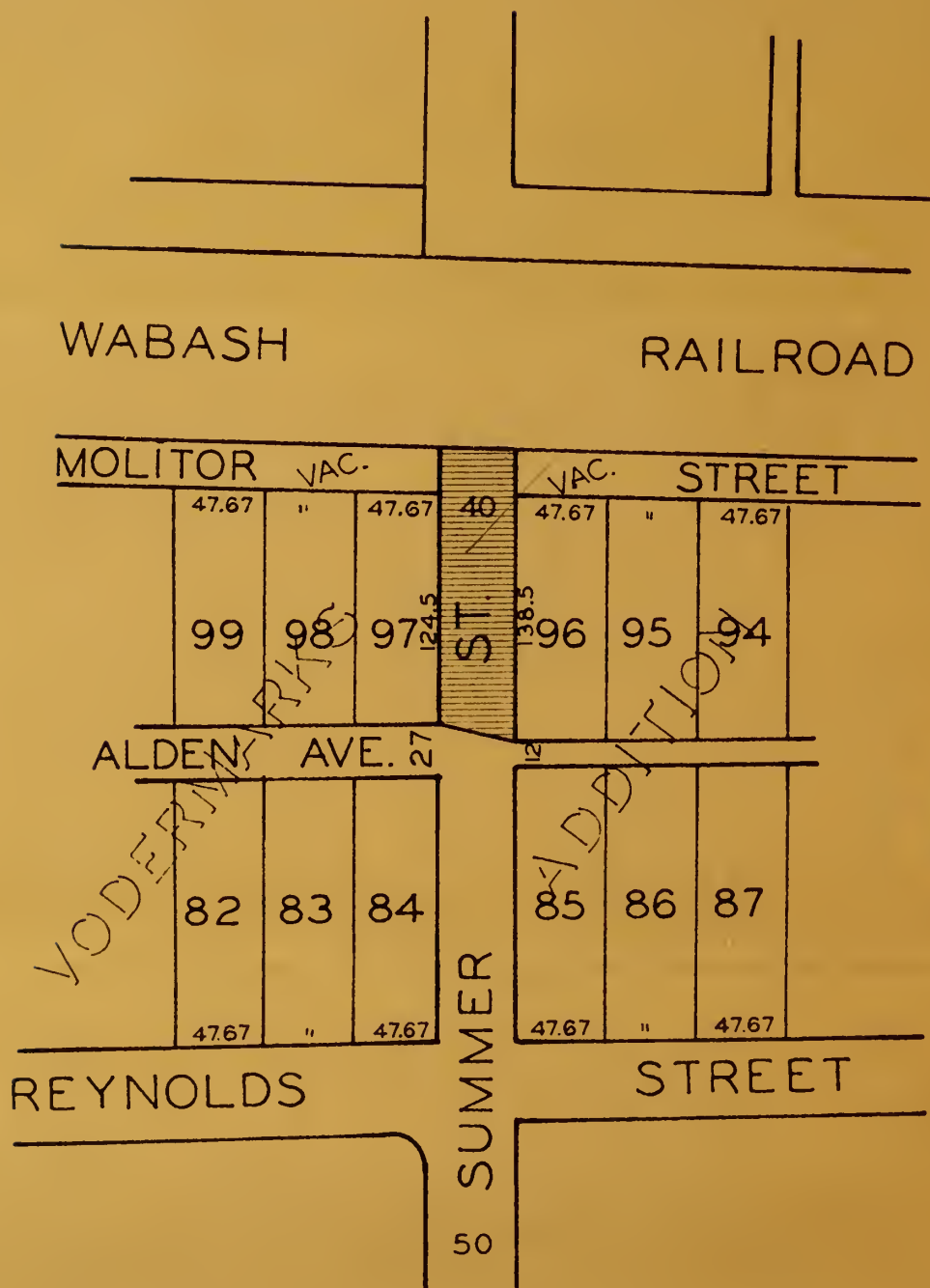
STREET

SUMMER 50





STREET TO BE VACATED



DECLARATORY  
**Improvement Resolution No. 1068-1961** For THE VACATION OF SUMMER STREET FROM THE SOUTH RIGHT-OF-  
 WAY LINE OF WABASH RAILROAD TO THE NORTH PROPERTY LINE OF ALDEN AVENUE AND THE FIRST ALLEY  
 NORTH OF REYNOLDS STREET

	OWNER'S NAME	ADDRESS	R. P. O.	NUMBER OF			DESCRIPTION
				LOT	BLOCK	O. L.	
1	HASSAN, ISIDOR	4933 Locoma		96	VAC. MOLITOR ST.		VODERMAERS ADD.
2	HASSAN, ISIDOR & FANNIE	" "		97	VAC. MOLITOR		"
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61	NOTICES MAILED <del>OR SERVED</del>						
62	November 24, 1961						
63	By <u>Beryl Pehling</u>						
64	N. To P. O.						
65							
TOTAL							

